



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RAYMOND ARNOLD HATCH,

Plaintiff,

-against-

WACHOVIA SECURITIES LLC,

Defendant.

ORDER

07 Civ 10702 (CM)

ORDER DISMISSING CASE

McMahon, J.:

Plaintiff filed the complaint in this matter on November 30, 2007. The court scheduled the case for an initial conference on February 1, 2008, at 11:00a.m., in courtroom 21B, of the 500 Pearl Street courthouse. Notice of the conference was sent to plaintiff at the address he provided when he filed his complaint: 85 East End Avenue, New York, NY 10028. Neither plaintiff nor defendant appeared for the initial conference. Since defendant had not yet been served and because the time for plaintiff to file proof of service had not yet expired, the court rescheduled the initial conference for May 2, 2008, at 11:00a.m. Notice was again sent to plaintiff at the address he provided.

On May 2, 2008, the case was called at 11:00 a.m., and neither plaintiff nor defendant appeared. (See transcript of proceeding dated May 2, 2008). Later that day, the court sent plaintiff an Order by first class mail directing plaintiff to appear on May 16, 2008, at 12:00p.m., in courtroom 21B. The Order warned plaintiff that his failure to appear at the May 16 conference would result in the action being dismissed for failure to prosecute. (See order dated May 2, 2008). On May 16 the case was called at noon and once again plaintiff failed to appear. (See transcript of proceeding dated May 16, 2008).

Accordingly, the case is dismissed for failure to prosecute.

May 16, 2008

So Ordered:

United States District Judge

Copies mailed / faxed / handed to counsel on 5/19/08

BY FIRST CLASS MAIL TO:

Raymond Arnold Hatch
85 East End Avenue
New York, NY 10028